

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

HAWK TECHNOLOGY SYSTEMS, LLC,)
)
 Plaintiff,)
)
 v.) **No. 2:16-cv-02013-JPM-cgc**
)
 SHELBY COUNTY BOARD OF EDUCATION,)
)
 Defendant.)

SCHEDULING ORDER

Pursuant to Local Rule 16.2, a patent scheduling conference was held on June 6, 2016. (Min. Entry, ECF No. 19.) Present were Frank Dantone, counsel for Plaintiff, appearing telephonically, and Matthew Lubozynski, counsel for Defendant. Prior to the scheduling conference, the parties met and conferred in compliance with Federal Rule of Civil Procedure 26(f). It is hereby **ORDERED**, after consultation with the parties, that the following schedule will apply in this case:

Event	Date
Answer or Other Responsive Pleading	May 2, 2016
Joint Planning Report and Proposed Schedule	May 31, 2016
Initial Disclosures	June 6, 2016
Initial Infringement Contentions	May 27, 2016
Initial Document Production	May 27, 2016
Initial Non-Infringement Contentions	June 24, 2016
Document Production Accompanying Initial Non-Infringement Contentions	June 24, 2016
Invalidity and Unenforceability Contentions	August 1, 2016
Document Production and Accompanying Invalidity and Unenforceability Contentions	August 1, 2016
Validity and Enforceability Contentions	August 22, 2016
Final Infringement Contentions	14 days from Court's Claim Construction Ruling
Final Non-Infringement Contentions and Final Invalidity and Unenforceability Contentions	14 days from Court's Claim Construction Ruling

Final Validity and Enforceability Contentions	45 days from Court's Claim Construction Ruling
Preliminary Identification of Claim Terms to be Construed	August 8, 2016
Final Identification of Claim Terms to Be Construed	August 29, 2016
Preliminary Proposed Claim Constructions	September 12, 2016
Identify Supporting Materials for Preliminary Proposed Claim Constructions	September 12, 2016
Initial Expert Claim Construction Reports	October 11, 2016
Rebuttal Expert Claim Construction Reports	November 10, 2016
Completion of Expert Claim Construction Discovery	November 28, 2016
Final Claim Construction	December 1, 2016
Opening Claim Construction Briefs	December 15, 2016
Responsive Claim Construction Briefs	January 17, 2017
Joint Claim Construction and Prehearing Statement	January 24, 2017
Claim Construction Hearing	February 21, 2017, at 9:30 p.m in Courtroom 1
Fact Discovery Cut-Off	45 days from the Court's Claim Construction Ruling
Disclosure of Advice of Counsel	90 days before the close of fact discovery
Initial Expert Witness Disclosures	60 days from the Court's Claim Construction Ruling

OTHER RELEVANT MATTERS:

As required by Local Rule 26.1(e), the parties have conferred as to whether they will seek discovery of electronically stored information ("e-discovery") and have not reached an agreement regarding e-discovery and will comply with the default standards described in Local Rule 26.1(e) until such time, if ever, the parties reach an agreement and the Court approves the parties' e-discovery plan.

Motions to compel discovery are to be filed and served within 45 days of the default or service of the response, answer, or objection that is the subject of the motion. However, if such default or service occurs within 30 days before the discovery deadline, the motion to compel must be filed within 30 days after such default or service.

The parties may engage in ADR at their discretion before the close of discovery. Pursuant to Local Rule 16.2(d), within 7 days of completion of ADR, the parties shall file a notice confirming that the ADR was conducted and indicating whether it was successful or unsuccessful, without disclosing the parties' respective positions at the ADR.

Pursuant to Local Rule 7.2(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60, shall be accompanied by a proposed order in a word processing format sent

to the ECF mailbox of the presiding judge.

Pursuant to Local Rule 7.2(a)(1)(B), the parties are required to consult prior to filing any motion (except motions filed pursuant to Fed. R. Civ. P. 12, 56, 59, and 60).

The opposing party must file a response to any opposed motion. Pursuant to Local Rule 7.2(a)(2), a party's failure to respond timely to any motion, other than a motion filed pursuant to Fed. R. Civ. P. 12(b) or 56. As provided by Local Rule 7.2(c), if a party believes that a reply is necessary, it will file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required within seven days of service of the response. Pursuant to Local Rules 12.1(c) and 56.1(c), a party moving for summary judgment or to dismiss may file a reply within 14 days after being served with the response in opposition to the motion.

The parties do not consent to trial before the Magistrate Judge.

This order has been entered after consultation with the parties. Absent good cause shown, the deadlines set by this order will not be modified or extended.

IT IS SO ORDERED, this 6th day of June, 2016.

/s/ Jon P. McCalla

JON P. McCALLA

UNITED STATES DISTRICT JUDGE